

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-6840

GREGORY E. WILLIAMS,

Petitioner - Appellant,

versus

BOBBY T. COMPTON, Warden; EDWARD F. REILLY,
JR., Chairman, U.S. Parole Commission,

Respondents - Appellees.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. Jackson L. Kiser, Senior
District Judge. (CA-03-487-7)

Submitted: April 18, 2005

Decided: May 11, 2005

Before MICHAEL, MOTZ, and TRAXLER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Gregory E. Williams, Appellant Pro Se. Julie C. Dudley, Assistant
United States Attorney, Roanoke, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Gregory Williams, a District of Columbia prisoner housed in a federal institution in Virginia, seeks to appeal the district court's order dismissing his petition filed under 28 U.S.C. § 2241 (2000). The order is not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1) (2000); see Madley v. United States Parole Comm'n, 278 F.3d 1306, 1310 (D.C. Cir. 2002) (reasoning that District of Columbia is a "state" court for purposes of § 2253(c), and while a parole determination claim does not attack the original conviction or sentence, it nevertheless "arises out of" the original state process). A certificate of appealability will not issue absent "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2) (2000). A prisoner satisfies this standard by demonstrating that reasonable jurists would find that the district court's assessment of his constitutional claims is debatable or wrong and that any dispositive procedural rulings by the district court also are debatable or wrong. See Miller-El v. Cockrell, 537 U.S. 322, 336-38 (2003); Slack v. McDaniel, 529 U.S. 473, 484 (2000); Rose v. Lee, 252 F.3d 676, 683-84 (4th Cir. 2001). We have independently reviewed the record and conclude that Williams has not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately

presented in the materials before the court and argument would not aid the decisional process.

DISMISSED